

*STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION*

AGENDA

*Wednesday, March 12, 2003
9:00 a.m.*

<p>Water Quality Control Board Regional Board Meeting Room 9174 Sky Park Court San Diego, California</p>

The Regional Board requests that all lengthy comments be submitted in writing in advance of the meeting date. To ensure that the Regional Board has the opportunity to fully study and consider written material, comments should be received in the Regional Board's office no later than 5:00 P.M. on Wednesday, February 26, 2003, and should indicate the agenda item to which it is applicable. If the submitted written material is more than 5 pages or contains foldouts, color graphics, maps, etc., 20 copies must be submitted for distribution to the Regional Board members and staff. Written material submitted after 5:00 P.M. on Wednesday, March 5, 2003 will not be provided to the Regional Board members and will not be considered by the Regional Board. *PLEASE NOTE THAT SOME ITEMS ON THE AGENDA MAY HAVE BEEN PREVIOUSLY NOTICED WITH EARLIER DEADLINES FOR SUBMITTING WRITTEN COMMENTS. IN THOSE CASES THE EARLIER DEADLINES APPLY.*

Comments on agenda items will be accepted by E-mail subject to the same conditions set forth for other written submissions as long as the total submittal (including attachments) does not exceed five printed pages in length. E-mail should be submitted to: rbagenda@rb9.swrcb.ca.gov. Write the word "Agenda" in the subject line.

Pursuant to Title 23, California Code of Regulations, Section 648.2, the Regional Board may refuse to admit written testimony into evidence if it is not submitted to the Regional Board in a timely manner, unless the proponent can demonstrate why he or she was unable to submit the material on time or that compliance with the deadline would create an unreasonable hardship.

NOTE C, attached to this Notice, contains a description of the hearing procedures that will be followed by the Regional Board. Hearings before the Regional Board are normally conducted using procedures that do not include cross-examination. Parties requesting use of more formal procedures must do so in accord with the directions in NOTE C. Any such request, together with supporting material, must be received in the Regional Board's office no later than 5:00 P.M. on Wednesday, February 26, 2003.

Except for items designated as time certain, there are no set times for agenda items. Items may be taken out of order at the discretion of the Chairman.

1. Roll Call and Introductions
2. PUBLIC FORUM: Any person may address the Regional Board at this time regarding any matter within the jurisdiction of the Board which is not on the agenda. Submission of information in writing is encouraged. **Presentations will be limited to three minutes.**
3. Minutes of Board Meeting of February 5, 2003.
4. Chairman's, Board Members', State Board liaison's and Executive Officer's Reports: These items are for Board discussion only. No public testimony will be allowed, and the Board will take no formal action.

Consent Calendar: Items 5 through 7 are considered non-controversial issues. (NOTE: If there is public interest, concern or discussion regarding any consent calendar item or a request for a public hearing, then the item(s) will be removed from the consent calendar and considered after all other agenda items have been completed)

5. Rescission of Waste Discharge Requirements: Teledyne Ryan Aeronautical Dredge and Fill Activities, Convair Lagoon Capping Project, Order No. 95-123 (tentative Order No. R9-2003-0076) (*Kristin Schwall*)
6.
 - a. Rescission of NPDES Permit No. CA0108821, Order No. R9-2002-0104, Waste Discharge Requirements for the Rancho California Water District, Santa Rosa Water Reclamation Facility Discharge to the Santa Margarita River, Riverside County (tentative Order No. R9-2003-0055) (*Chiara Clemente*)
 - b. Rescission of Cease and Desist Order No. R9-2002-0212, which established interim effluent limitations and a time schedule to comply with NPDES Order No. R9-2002-0104 for the Rancho California Water District, Santa Rosa Water Reclamation Facility Discharge to the Santa Margarita River, Riverside County (tentative Order No. R9-2003-0055) (*Chiara Clemente*)
 - c. Revision of Waste Discharge Requirements: Rancho California Water District Wastewater Reclamation Facilities, Riverside County (tentative Addendum No. 3 to Order No. 94-92) (*Chiara Clemente*)
7. Authorization for the Executive Officer to Sign a Site Remediation Agreement Under the Polanco Act (California Health and Safety Code Sections 33459 et seq.) for Cleanup and Abatement of Groundwater Pollution from the Former Omar Rendering Facility (*Brian McDaniel*)

Remainder of the Agenda (Non-Consent Items):

8.
 - a. NPDES Permit: City of San Diego, Waste Discharge Requirements For Groundwater Extraction Waste Discharges To San Diego Bay From The San Diego Convention Center, San Diego County (tentative Order No. R9-2003-0050, NPDES No. CA0109029) (*Sherrie Komeilyan*)
 - b. **PUBLIC HEARING:** Cease and Desist Order Against the City of San Diego for the Discharge of Extracted Groundwater to San Diego Bay from the San Diego Convention Center. The Regional Board will consider an order establishing a compliance schedule with Waste Discharge Requirements Order No. R9-2003-0050 (tentative Cease and Desist Order No. R9-2003-0086) (*Vicente Rodriguez*)
9. Administrative Civil Liability against South Coast Water District, Sewage Collection System in Orange County, for Violation of Order No. 96-04 and California Water Code Section 13267 (Complaint No. R9-2002-0280). The Regional Board will consider settlement of potential liability for the violations alleged in Complaint No. R9-2002-0280 based on a settlement offer from South Coast Water District; in reaching its decision, the Regional Board will consider written comments received during a 30-day public review period and comments made at the meeting. (Tentative Order No. R9-2003-0037) (*Rebecca Stewart*)
10. Revision of Waste Discharge Requirements for Inactive Landfills:
 - a. Revision of General Waste Discharge Requirements for Post-Closure Maintenance and Monitoring for Inactive Non-Hazardous Waste Landfills (tentative Order R9-2003-0001) (*Amy Fortin*)
 - b. Revision of General Waste Discharge Requirements for Post-Closure Maintenance and Monitoring for Inactive Non-Hazardous Waste Landfills Containing Insignificant Volumes of Decomposable Wastes (tentative Order R9-2003-0002) (*Amy Fortin*)
11. Revision of Waste Discharge Requirements: Waste Discharge Requirements for Closure, Post-Closure Maintenance, and Monitoring at the County of San Diego, San Marcos Landfill (tentative Order R9-2003-0003) (*Carol Tamaki*)
12. Settlement of Rakhra Groups, Inc. v. San Diego Regional Water Quality Control Board; the Board will consider settlement of litigation challenging various enforcement actions including a Cleanup and Abatement Order and an order assessing Civil Liability against Rakhra Groups, Inc. for conditions at San Diego Mushroom Farm. (*John Richards*)
13. Status Report: U.S. – Mexico Border Area Pollution Tracking Projects (*David Hanson*)
 - a. Ocean Imaging, Inc. – A satellite and aerial imaging system jointly funded by the RWQCB, the City of San Diego, and the United States International Boundary and Water Commission.
 - b. San Diego State University – Tijuana River watershed water quality monitoring and modeling project funded by the RWQCB. Additionally, SDSU will present a 3 dimensional visualization of water quality data in the south bay.
 - c. Scripps Institute of Oceanography – The San Diego Coastal Ocean Observing System, funded under the California Clean Beaches Initiative, merges a number of oceanographic and environmental sensing technologies.

14. *Executive Session* - Discussion of Ongoing Litigation

The Regional Board may meet in closed session to discuss ongoing litigation for the following cases:

People of the State of California Ex Rel. the Regional Water Quality Control Board, San Diego Region v. Robert Ortega, an individual in his capacity as Acting Commissioner of the International Boundary and Water Commission, United States Section, et al.. United States District Court, Southern District of California, Case No. 01-CV-027BTM(JFS); violation of effluent limits in waste discharge requirements for the International Wastewater Treatment Plant contained in Order No. 96-50 (NPDES No. CA0108928) and of Cease and Desist Order No. 96-52; Referral Order No. 99-61; and the related "Surfrider" case:

Surfrider Foundation, San Diego Chapter v. Robert Ortega, et al., Case No. 99-CV-2441-BTM(JFS)

Building Industry Association of San Diego County, et al. vs. State Water Resources Control Board, et al.; San Diego County Superior Court; Case No. GIC 7890263.

Rakhra Groups, Inc., v. San Diego Regional Water Quality Control Board Superior Court of California, San Diego County; Case No. GIC 776251 and Case No. GIC 786516

15. *Executive Session* - Consideration of Initiation of Litigation

The Regional Board may meet in closed session to consider initiating criminal prosecution against persons who are alleged to have violated the Porter-Cologne Water Quality Control or the federal Clean Water Act.

16. *Executive Session* - Discussion of Pending Litigation

The Regional Board may meet in closed session to discuss pending litigation.

17. *Executive Session* - Personnel

The Regional Board may meet in closed session to consider personnel matters involving exempt employees [Authorized under Government Code Section 11126(a)]

18. Arrangements for Next Meeting and Adjournment

Wednesday, April 9, 2003 - 9:00 a.m.

City of Laguna Beach

City Council Chambers

505 Forest Ave.

Laguna Beach, California

Notifications

A. On March 7, 2003 two or more Board Members, along with other southern California coastal Regional Boards, will participate in a meeting with the Southern California Coastal Water Research Project Authority. The Regional Boards will receive a comprehensive briefing on the results of Bight '98 and an overview of Bight '03. The meeting will be held at the Orange County Sanitation District, 10844 Ellis Avenue, Fountain Valley, California from noon to 3:00 p.m. No voting or other Regional Board business will be conducted at this event.

B. 2003 Triennial Review of the Basin Plan

Reminder: The Regional Board will conduct its first Public Workshop on the 2003 Triennial Review of the Basin Plan on Monday, March 3, 2003 at 1:30 at the Regional Board office. Notice of this workshop has previously been mailed to all parties on the Regional Board agenda mailing list and is posted on the Regional Board website at www.swrcb.ca.gov/rwqcb9. Contact Ms. Laurie Walsh at (858) 467-2970 or Jody Ebsen at (858) 636-3146 for additional information. You may also e-mail us at tri_review@rb9.swrcb.ca.gov.

C. Public Workshops / CEQA Scoping Meetings on Total Maximum Daily Loads (TMDLs)

Reminder: The Regional Board will conduct a combined Public Workshop and CEQA Scoping Meeting on each of the following three Total Maximum Daily Loads (TMDLs):

Shelter Island Yacht Basin Copper TMDL	March 19, 2003, Wed at 1:30
Chollas Creek Metals TMDL	March 21, 2003, Fri at 2:00
Bacteria Impaired Waters TMDLs	March 27, 2003, Thurs at 1:30

Each Public Workshop/CEQA Scoping Meeting will be conducted at the Regional Board office. Notice of each Public Workshop/CEQA Scoping Meeting has been mailed to all parties on the Regional Board agenda mailing list and is posted on the Regional Board website at www.swrcb.ca.gov/rwqcb9. For additional information regarding the Shelter Island Yacht Basin Copper TMDL or the Bacteria Impaired Waters TMDL, contact Ms. Lesley Dobalian at (858) 637-7139 or Ms. Christina Arias at (858) 627-3931. You may also e-mail us at SIYB_TMDL@rb9.swrcb.ca.gov or Bacteria_TMDLs@rb9.swrcb.ca.gov. For additional information regarding the Chollas Creek Metals TMDL, contact Mr. Jimmy Smith at (858) 467-2732 or Ms. Linda Pardy at (858) 627-3932. You may also e-mail us at jsmith@rb9.swrcb.ca.gov or pardl@rb9.swrcb.ca.gov.

- D. On February 18, 2003, the Executive Officer issued Order No. R9-2003-0075, rescinding Cleanup and Abatement Order No. R9-2002-312 for the Metropolitan Transit Development Board after completion of activities to remove wastes consisting of sediment from Soledad Canyon Creek. (*Ben Neill*)
- E. On February 19, 2003, the Executive Officer issued Addendum No. 3 to Cleanup and Abatement Order No. 99-26 to Mr. and Mrs. Ernest Moretti. The Order was issued for cleanup of petroleum hydrocarbon pollution in soil and groundwater from the Former Santa Ysabel Chevron Service Station located at 30352 Highway 78, Santa Ysabel, California. Addendum No. 3 requires Mr. and Mrs. Moretti to commence soil and groundwater cleanup by March 30, 2003. Mr. and Mrs. Moretti plan on using a soil vapor extraction system to clean up soil and groundwater at the site. (*Barry S. Pulver*)